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✓ **BY LAWS**

1842

OF THE

MEDICAL SOCIETY

OF THE

COUNTY OF ALBANY,

JULY, 1828.

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OF THE
MEDICAL SOCIETY
OF THE
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SECTION I.

Meetings of the Society, and Order of Business.

ART. I. THE anniversary meeting of the society shall be held on the second Tuesday of January, at eleven o'clock A. M.; and the quarterly meetings on the second Tuesday in April, July and October, at three o'clock, P. M.; and five members shall constitute a quorum to transact the business of the society, except on anniversary meetings, when nine members shall be required to proceed to the election of officers.

SECTION II.

Officers, and their Duty.

ART. I. The officers of the society shall consist of a president, vice-president, secretary, treasurer, librarian, and board of censors, who shall be chosen by ballot at the anniversary meetings of the society; and if no election take place on that day, they shall hold their respective offices until the next anniversary meeting.

ART. II. It shall be the duty of the president to preside at all meetings; to preserve order, and to regulate the business of the society—He shall call special meetings of the society when he deems them necessary, or on application made to him by any two of the members, and cause notice thereof to be given by the secretary—He shall only have a casting vote in all transactions when the votes of the members are equally divided: and shall deliver the decisions of the society—He shall also provide a book, in which he shall procure and preserve the signatures of the candidates to the declaration following, viz. “*I, A. B. do solemnly declare, that I will honestly, virtuously, and chastely, conduct my-*

"self in the practice of physic and surgery, with the privileges of exercising which profession I am now to be invested; and that I will with fidelity and honor, do every thing in my power for the benefit of the sick committed to my charge." (See Art. vii, By laws State Med. Soc.)

ART. III. In the absence of the president, his duties shall devolve on the vice-president; and when both are absent, the society shall elect a president pro tempore.

ART. IV. It shall be the duty of the secretary to attend all meetings, and enter the proceedings of the society in a book to be provided for the purpose. He shall give timely notice of all regular, and such special meetings of the society as the president shall deem it expedient to call; and he shall keep an exact record of all candidates admitted to the practice of physic and surgery by this society; and shall also procure diplomas in conformity to the State Med. Soc. by laws. (See Art. viii, By laws of State Med. Soc.)

ART. V. It shall be the duty of the treasurer to take charge of and keep a correct account of all monies belonging to the society, with the receipts and expenditures thereof, and to exhibit a statement of the funds once in every year, or as often as shall be required. He shall preserve for the benefit of the society, all donations and other moveable property committed to his charge, and keep an exact register of the same, together with the names of the respective donors.

ART. VI. It shall be the duty of the censors to examine all candidates to be admitted to the practice of physic and surgery, on the following branches of medicine, viz. pharmacy, materia-medica, chemistry, anatomy, surgery, physiology, theory and practice of physic and midwifery. Not less than three censors shall constitute a board for the examination of candidates; and after this examination, shall report to the president, within forty-eight hours, their opinion drawn up in the form of a certificate, and signed by each of the members present at the examination: and said certificate shall contain the opinion of the censors, that the candidate or candidates have complied with the requisitions of the laws of this state, as to time of study and legal qualifications. And in case of the absence of one or more of the board of censors, the president shall appoint a censor or censors to supply his or their place pro tempore.

ART. VII. The seniority of the censors shall be determined by the number of votes given for each at the time of their election to office.

ART. VIII. It shall be the duty of the librarian to take charge of all books and pamphlets belonging to this society, and he shall annually report the state of the library.

SECTION III.

Admission of Members.

ART. I. Any physician or surgeon having a licence by the laws of this state, to practice his profession, shall on application, at a regular meeting of this society, be admitted a member thereof.

ART. II. The president, vice-president and censors shall constitute a comitia minora to receive all applications for membership during the recess of the society, and they shall report the qualifications of all applicants, with their vouchers to the first meeting of the society thereafter.

ART. III. In case any member of this society shall fail to attend the *annual meetings* of the same, he shall forfeit and pay fifty cents to the treasurer for the use of said society.

SECTION IV.

Funds of the Society.

ART. I. All monies collected from members for their annual tax, shall go to the funds of the society, and shall be appropriated to the establishment of a medical and philosophical library and apparatus.

ART. II. The purchasing committee shall have power to draw an order on the treasurer, for monies in his hands, to pay for all books purchased or subscribed for by them for the library of the society. The treasurer shall not pay the monies in his hands belonging to the society for other purposes, except by the special order of the president.

SECTION V.

Admission of Students to practice.

ART. I. Every candidate receiving a diploma, shall pay a fee to the treasurer of this society for its use, not less than five dollars ; and the sum of four dollars to each of the censors attending the examination.

ART. II. Candidates presenting themselves for examination, shall notify their intention to the president ; and the censors shall proceed as soon as possible thereafter in their examination ; and it shall be optional with any member of this society to attend such examination.

SECTION VI.

Exercises of this Society.

ART. I. It shall be the duty of every member to communicate to the society at its anniversary meetings, a history of important cases which may have occurred in his respective circuit of practice during the preceding year.

ART. II. Every member when he addresses the chair, shall rise, and shall not be interrupted while speaking, except he be declared out of order, on appeal made to the president; or to correct a mistake. The president shall have power to call any member to the chair, and he may take an active part in the debate upon either side of the question.

ART. III. If a member has spoken once in any debate, he shall not speak to the prevention of another who has not spoken and manifests a desire to speak.

ART. IV. These by laws shall not be altered or amended, except at an anniversary meeting.



STATE LAW—TITLE VII,

Containing general regulations concerning the Practice of Physic and Surgery in this State.

1. Presidents of county medical societies to give notice to, and require physicians and surgeons to apply for certificates of admission.
2. If persons notified do not apply, licence to be forfeited.
3. Charges may be preferred to society against members for misconduct, &c.
4. If two thirds of members think charges well founded, president to deliver a copy to district attorney.
5. District attorney to serve copy on accused, and give notice of hearing.
6. He shall conduct prosecution and issue subpoenas for both parties.
7. County judges to hear and determine charges; their judgment.
- 8 & 9. Qualifications for admission to an examination; term of study, &c.
10. Certificates of commencing of studies by students to be filed with president of the society.
11. If deduction from term of study be made, order of president specifying period to be annexed to certificate.
12. When regents to grant degrees of doctor of medicine.
13. In what counties students to be examined.
14. Candidates for admission rejected by censors of one county, not to be examined by another; but may appeal.
15. Persons rejected by state censors not to be examined by county censors.
16. No person to practice physic, &c. without licence, &c. from this or some other state.
17. Persons coming from another state, &c. to file copy of diploma with county clerk.
18. Diplomas granted out of this state to students in schools in this state, not incorporated, not to confer right of practising physic, &c. in this state.
19. Persons licensed, to deposit copy of licence in county clerk's office.
20. Persons under 21, not entitled to practice.
21. Degrees of doctor of medicine conferred by colleges not to be a licence, when colleges may have a faculty to teach medicine.
22. Penalty for practising without authority.

§ 1. The president of every county medical society shall give notice in writing, to every physician and surgeon, not already admitted into such society, within the county in which the society of which he is president is situated, requiring such physician or surgeon, within sixty days after the service of such notice, to apply for and receive, a certificate of admission, as a member of such society.

§ 2. The service of every notice shall be made personally, on the physician or surgeon to whom it shall be directed: and if such physician or surgeon shall not, within the time specified in the notice, or within such further time as may be allowed by the president, under the regulations of the society, apply for a certificate of membership in such society, his licence shall be deemed forfeited, and he shall be subject thereafter, to all the provisions and penalties of the laws of this state, in relation to unlicensed physicians, until upon special application, he shall be admitted a member of the medical society, in the county in which he shall reside.

§ 3. If there shall be preferred to any county medical society, specific charges against any member thereof, of gross ignorance or misconduct in his profession, or immoral conduct or habits, a special meeting of the society to consider the charges shall be called, of which at least ten days previous notice shall be given, in one or more of the public newspapers printed in the county.

§ 4. If two thirds of the members present at such meeting shall be of opinion, that the charges preferred are well founded, the president of the society, shall, without delay, deliver a certified copy of the charges and of the vote of the society thereon, to the district attorney of the county, and shall give notice of such delivery to the member accused, who from that time shall be suspended from the practice of physic and surgery, until the determination of such charges, in the manner herein after provided.

§ 5. The district attorney to whom the charges shall be delivered, shall serve a copy thereof without delay, on the member accused, and at the same time shall give him notice, of the time and place at which the judges of the court of common pleas of the county will meet, for the purpose of hearing and determining the same: such notice shall be served at least fourteen days, before the time of hearing appointed.

§ 6. The district attorney shall conduct the prosecution of the charges, and shall issue process to compel the attendance of such witnesses, as the president of the society and the member accused, shall severally require.

§ 7. The judges of the county court, at the time and place of hearing appointed, or at such other time and place as they shall fix, shall proceed to hear and determine the charges, and shall examine, on oath, the witnesses produced: if they, or a majority of them, shall be satisfied, from the evidence, that the charges are true, they shall make an order, which shall be valid in law, expelling the member accused from the society, and declaring him forever thereafter incapable of practising physic and surgery, within

this state, or suspending him from such practice, for a limited period: if they shall be of opinion, that the charges are not established, the suspension of the member accused shall cease, and he shall be restored to all his rights and privileges, as a practising physician and surgeon.

§ 8. No student shall be admitted to an examination by any medical society, until he shall have completed, with some physician or surgeon, duly authorised by law to practise his profession, the term of medical study, prescribed in the following sections of this Title.

§ 9. The regular term of the study of medical science shall be four years, but a deduction from such term, in no case to exceed one year, shall be made in either of the following cases:

1. If the student, after the age of sixteen, shall have pursued any of the studies usual in the colleges of this state, the period, during which he shall have pursued such studies, shall be deducted.

2. If the student, after the age of sixteen, shall have attended a complete course of all the lectures delivered in an incorporated medical college in this state, or elsewhere, one year shall be deducted.

§ 10. The physician and surgeon with whom a student shall commence his studies, shall file a certificate with the president of the county medical society to which he belongs, certifying that such person has so commenced his studies; and the term of study shall be considered as commencing, from the day on which such certificate is filed.

§ 11. If the term of study shall be intended to be for less than four years, upon either of the grounds mentioned in the ninth section of this Title, the president with whom the certificate shall be filed, upon satisfactory proof that a deduction ought to be allowed, shall annex to such certificate, an order specifying the period, not exceeding one year, which, according to the proof exhibited to him, ought to be deducted from the term of four years, and directing that the term of study of the student shall be for the period that shall remain.

§ 12. No person shall receive from the regents of the university a diploma, conferring the degree of doctor of medicine, unless he shall have pursued the study of medical science for at least three years, after the age of sixteen, with some physician and surgeon, duly authorised, by law, to practice his profession, and shall also, after the same age, have attended two complete courses of all the lectures delivered in an incorporated medical college, and have attended the last of such courses, in the college by which he shall be recommended for his degree.

§ 13. No student shall be admitted to an examination by any county medical society, except of the county in which he shall have pursued his medical studies for four months immediately preceding his examination; but if the student, during that period, shall have attended the lectures in either of the incorporated medical colleges

of the state, he may be examined and licensed, either by the medical society of the county in which such college is situated, or by that of the county, in which he shall have resided, previous to such attendance.

§ 14. No person, who shall have been examined by the censors of any county medical society, as a candidate for the practice of physic and surgery, or either of them, and shall have been rejected on such examination, shall be admitted to an examination before the censors of any other county medical society; but such person may appeal, from the decision of the censors by whom he shall have been examined, to the medical society of the state.

§ 15. No person, who, either upon an original examination or upon an appeal, shall have been rejected by the censors of the state medical society, shall thereafter be admitted to an examination before the censors of any county medical society.

§ 16. No person shall practice physic or surgery, unless he shall have received a licence or diploma for that purpose, from one of the incorporated medical societies in this state, or the degree of doctor of medicine from the regents of the university; or shall have been duly authorised to practice by the laws of some other state or country, and have a diploma from some incorporated college of medicine, or legally incorporated medical society, in such state or country.

§ 17. No person coming from another state or country, shall practice physic or surgery in this state, until he shall have filed a copy of his diploma, with the clerk of the county where he resides, and until he shall have exhibited to the medical society of that county, satisfactory evidence that he has regularly studied physic and surgery, according to the requisitions of the ninth section of this Title.

§ 18. No diploma, granted by any authority out of this state, to an individual who shall have pursued his studies in any medical school within this state, not incorporated and organized under its laws, shall confer on such individual the right of practising physic and surgery within this state.

§ 19. Every person licensed to practice physic or surgery, or both, shall deposit a copy of such licence with the clerk of the county where he resides, who shall file the same in his office; and until such licence is so deposited, such person shall be liable to all the penalties provided by law, in the same manner as if he had no licence.

§ 20. No person under the age of twenty-one years shall be entitled to practice physic or surgery in this state.

§ 21. The degree of doctor of medicine conferred by any college in this state, shall not be a licence to practice physic or surgery; nor shall any college have, or institute, a medical faculty, to teach the science of medicine, in any other place than where the charter locates the college.

§ 22. Every person, not authorised by law, who, for any fee or reward, shall practice physic or surgery within this state, shall be

incapable of recovering, by suit, any debt arising from such practice, and shall be deemed guilty of a misdemeanour, punishable by fine or imprisonment, or both, in the discretion of the court by which he shall be convicted. *Passed 2d Session, 1827.*

CATALOGUE OF BOOKS

*In the Library of the Albany County Medical Society,
August, 14, 1828.*

<i>Bound Books.</i>	<i>Vols.</i>
American Journal of Med. Science, —	2
American Medical Recorder, (from vol. 4 to 13) —	10
Accum on Culinary Poisons, — —	1
Barton's Cullen, — —	2
Bateman's Synopsis, — —	1
Bateman and Willan's Plates of Cutaneous Diseases,	1
Boston Medical and Surgical Journal, 2 nos.	
Caldwell's Cullen, — —	2
Deweese's Essays on Parturition, — —	1
Duncan on Consumption, — —	1
Eclectic Repertory, — —	12
Gallup on Epidemics, — —	1
Hogben's Obstetrical Plates, — —	3
Medical Repository, — —	3
New-England Med. Journal, (from vol. 10 to 15) —	6
New-England Journal and Review, —	1
New-York Medical and Physical Journal, —	6
Philadelphia Journal of Med. & Physical Sciences,	14
Pemberton's Treatise on Diseases of the abdom. Viscera,	1
Reid on Nervous Diseases, — —	1
Scudamore on Gout, — —	1
Saunders on the Eye, — —	1
Thompson on Inflammation, — —	1
Wallis on Diseases, — —	1
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